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Attorneys for Defendant  
SMITH & NEPHEW, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JAMINE BATH,

Plaintiff,

vs.

SMITH & NEPHEW, INC.  
A Delaware Corporation,

Defendant.

Case No. C13-03690 JCS

**STIPULATION FOR DISMISSAL  
WITH PREJUDICE PURSUANT  
TO FRCP 41(A)(1)**

IT IS HEREBY STIPULATED by the parties to this action, through their designated counsel, that the above-captioned action be dismissed in its entirety with prejudice pursuant to FRCP 41 (a)(1), each party to bear its own fees and costs. This stipulation for dismissal with prejudice shall not constitute or be deemed an admission of any kind by either party regarding the merits of this action

STIPULATION FOR DISMISSAL WITH PREJUDICE 1  
PURSUANT TO FRCP 41(A)(1)

1  
2 Dated: March 7, 2014 FRANK E. MAYO  
3 ATTORNEY AT LAW

4  
5 /S/ Frank E. Mayo  
6 Frank E. Mayo, Attorney for Plaintiff  
JASMINE BATH

7 Dated: March , 2014 LITTLER MENDELSON

8  
9  
10 By:   
Rod M. Fliegel

11  
12 Attorneys for Defendant  
SMITH & NEPHEW, INC.

13  
14  
15 Dated: 4/7/14



**PROOF OF SERVICE BY FEDERAL EXPRESS - OVERNIGHT DELIVERY**

I am employed in San Francisco County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 650 California Street, 20th Floor, San Francisco, California 94108-2693. On April 2, 2014, I deposited with Federal Express a true and correct copy of the within documents:

STIPULATION FOR DISMISSAL WITH PREJUDICE PURSUANT  
TO FRCP 41(A)(1)

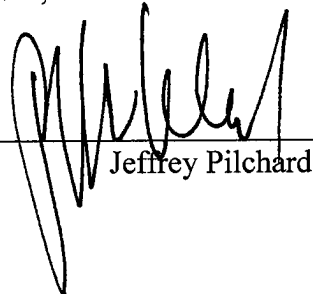
in a sealed envelope, addressed as follows:

Frank E. Mayo  
Law Office of Frank E. Mayo  
4962 El Camino Real, Ste. 104  
Los Altos, CA 94022  
Attorney for Plaintiff  
JASMINE BATH

Following ordinary business practices, the envelope was sealed and placed for collection by Federal Express on this date, and would, in the ordinary course of business, be retrieved by Federal Express for overnight delivery on this date.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on April 2, 2014, at San Francisco, California.



Jeffrey Pilchard

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